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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,221	03/25/2006	Akiko Tanaka	A-507	4895
802	7590	08/01/2008		
PATENTTM.US			EXAMINER	
P. O. BOX 82788			CHAPEL, DEREK S	
PORTLAND, OR 97282-0788				
			ART UNIT	PAPER NUMBER
			2872	
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			08/01/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/595,221

**Applicant(s)**

TANAKA ET AL.

**Examiner**

DEREK S. CHAPEL

**Art Unit**

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/25/06, 3/1/07 & 5/9/08.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 2, 5/2/1, 5/1, 8 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 25 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/25/2006  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims withdrawn from consideration are 3, 4, 5/4/3, 5/3, 6-7, 9-13, 14/11/10, 14/13/12, 14/12, and 15-16.

## **DETAILED ACTION**

### ***Status Of Claims***

1. Claims 1-16 are pending for examination as interpreted by the examiner.

### ***Election/Restrictions***

2. Applicant's election with traverse of Group I (claims 1, 2, 5/2/1, 5/1 and 8) in the reply filed on 5/9/2008 is acknowledged. The traversal is on the ground(s) that the searches and examination would be similar. This is not found persuasive because the claims are drawn to divergent subject matter as set forth in the restriction requirement.

The requirement is still deemed proper and is therefore made FINAL.

3. Claims 3, 4, 5/4/3, 5/3, 6-7, 9-13, 14/11/10, 14/13/12, 14/12, and 15-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 5/9/2008.

### ***Priority***

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

5. The Information Disclosure Statement(s) (IDS) filed on 3/25/2006 was considered.

***Drawings***

6. The drawings were received on 3/25/2006. These drawings are accepted.

***Specification***

7. The abstract of the disclosure is objected to because "The present invention relates to a method" should be changed to --A method--, and because it's too long.

Correction is required. See MPEP § 608.01(b).

8. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

9. The disclosure is objected to because of the following informalities: on line 13 of page 18 of the specification, "sheen" should be changed to --seen--.

Appropriate correction is required.

10. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

11. Claims 1, 2, 5/2/1 and 5/1 are objected to because of the following informalities: CT, MRI, and TEM should be defined in claim 1. Claims 2, 5/2/1 and 5/1 are objected to for inheriting the same informalities through their dependency from claim 1. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1, 2, 5/2/1, 5/1 and 8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear whether the "three-dimensional object" on line two of claim one is the same "three-dimensional object" as that on line five of claim 1 since they are both a three-dimensional object. Further, is it the actual three-dimensional object that is cut, the "three-dimensional image data", or a three-dimensional computer generated hologram of the three-dimensional object?

Claims 2, 5/2/1 and 5/1 are rejected for inheriting the same informalities through their dependency from claim 1. Claim 8 suffers from the same deficiencies as claim 1.

***Other Related Art***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Dalton, U.S. Patent Number 6,748,347 B1; Ueda et al., U.S. Patent Number 5,400,155; Donzelle, U.S. Patent Number 3,614,426; and Plesniak et al., U.S. Patent Number 6,927,886 B2 disclose forming three dimensional holograms from two-dimensional image data taken from a three-dimensional object.

***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEREK S. CHAPEL whose telephone number is (571)272-8042. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. S. C./  
Examiner, Art Unit 2872  
7/29/2008

/Arnel C. Lavarías/  
Primary Examiner, Art Unit 2872